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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/619,726

Applicant(s)

SMITH ET AL.

Examiner

JUDE J. JEAN GILLES

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19, 21-38, 40-61 and 66-69 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19, 21-38, 40-61 and 66-69 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07/15/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/21/2007 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-19, 21-38, 40-61, 66-70** are rejected under 35 U.S.C. 102(e) as being anticipated by Brown et al (hereinafter Brown) U.S. Pub. 20040034694 A1.

Regarding claims 1-19, 21-38, 40-61, 66-70 Brown teaches:

1. (Currently Amended)

A computer implemented method for modifying a list of permitted

senders used by electronic mail (email) access control devices (figs. 8-10), said

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method comprising:

under control of a sender:

accepting a recipient identifier (0021, see pass-code);

providing sender information along with a petition provider identifier to a recipient, the recipient having an access list of permitted senders associated therewith (0021, 0062);

under control of the recipient:

providing the sender information to a petition provider identified by the petition provider identifier(0062-0064);

accepting an access list petition request (petition) from the petition provider, said petition being stored in a computer readable storage medium (0062-0064);

determining whether the petition is acceptable based on at least one of 1) a sender identity verification method; 2) user input; and 3) third party information (figs 8-10; 0062-0065); and

modifying said access list of permitted senders of the recipient such that the sender is added to said access list if the petition is determined to be acceptable; and

wherein the petition is created as a result of the sender receiving the recipient's email address and wherein the access list is used to determine whether email from the sender is permitted to reach the recipient (figs 8-10; 0062-0065).

2. (Previously Presented) The method of claim 1 wherein:

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the sender information includes at least one of: 1) a sender identification method; and 2) the recipient identifier.

3. (Original) The method of claim 1, further comprising:

providing confirmation of the determination to the sender.

4. (Original) The method of claim 1 wherein:

the step of accepting the recipient identifier is a result of a Web-based interaction between the recipient and the sender.

5. (Original) The method of claim 1 wherein:

the recipient identifier is an email address.

6. (Original) The method of claim 1 wherein:

the identity verification method is one of: 1) an email header "From" address; 2) a password; 3) an Internet Protocol (IP) address; and 4) a digital signature (fig. 6-7).

7. (Original) The method of claim 1 wherein:

the step of determining whether a petition is acceptable utilizes at least one rule, wherein the at least one rule is evaluated against the petition (0057).

8. (Original) The method of claim 1, further comprising:

prompting a user for a decision regarding whether or not to accept the petition (fig. 10).

9. (Original) The method of claim 1 wherein:

the recipient comprises a Web browser (0032, fig. 1, client browser 108-112).

10. (Original) The method of claim 9 wherein:

the sender information is provided to the petition provider via a Hypertext Transfer Protocol (HTTP) redirect sent to the Web browser (0032).

11. (Original) The method of claim 9 wherein:

the petition is provided to a petition processor via a Hypertext Transfer Protocol (HTTP) redirect message sent to the Web browser (fig. 1); and

wherein the petition processor makes said determination (fig. 1).

12. (Previously Presented) The method of claim 9 wherein:

the Web browser identifies the petition based on a Multipurpose Internet Mail Extension (MIME) type (0043).

13. (Previously Presented) The method of claim 9 wherein:

the petition provider identifier and the sender information are combined to form a Uniform Resource Locator (URL) that the Web browser uses to access the petition provider (fig. 1).

14. (Original) The method of claim 1, further comprising:

providing the petition to a petition processor.

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15. (Original) The method of claim 14 wherein:

the petition processor requires authorization credentials (see passcode), 0064).

16. (Previously Presented) The method of claim 1 wherein:

the sender identity verification method is used by an email provider to verify that an email message is from the sender (0064).

17. (Original) The method of claim 1 wherein:

the petition provider generates the petition based on one or more rules (0057).

18. (Previously Presented) The method of claim 17 wherein:

a rule determines at least one of: 1) whether to generate the petition; 2) a format of the petition; 3) an identity of a petition processor; and 4) a recipient email address (0057, 0062-0064).

19. (Previously Presented) The method of claim 17 wherein:

a rule is triggered based on the recipient identifier 0057, 0062-0064).

20. (Canceled)

21. (Currently Amended) A computer implemented method for modifying a list of permitted senders used by electronic mail (email) access control devices (figs 8-10), said method comprising:

under control of a sender:

accepting a recipient identifier (0021);

generating an access list petition request (petition) wherein said generation is based on the evaluation of at least one rule that determines the format of the petition based on the recipient identifier, said petition being stored in a computer readable medium (figs 8-10; 0062-0064);

providing the petition to a recipient, the recipient having an access list of permitted senders associated therewith;

under control of the recipient:

accepting the petition;

determining whether the petition is acceptable based on at least one of: 1) a sender identity verification method; 2) user input; and 3) third party information (0057; 0062-0064); and

modifying said access list of permitted senders of the recipient such that the sender is added to said access list if the petition is determined to be acceptable;

wherein the petition is created as a result of the sender receiving the recipient's email address and prior to transmission of email messages between said sender and said recipient, and wherein the access list is used to determine whether email from the sender is permitted to reach the recipient ((figs 8-10; 0062-0064).

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22. (Original) The method of claim 21, further comprising:

providing the recipient identifier to a petition provider; and

accepting a petition from the petition provider.

23. (Previously Presented) The method of claim 21 wherein:

the sender information includes at least one of: 1) a sender identification method; and 2) the recipient identifier.

24. (Original) The method of claim 22 wherein:

the petition provider and the sender are part of the same system (fig. 1).

25. (Original) The method of claim 21 wherein:

the step of accepting the recipient identifier is a result of a Web-based interaction between the recipient and the sender (fig. 1).

26. (Original) The method of claim 21 wherein:

the recipient identifier is an email address (figs 6-7).

27. (Original) The method of claim 21 wherein:

the identity verification method is one of: 1) an email header "From" address; 2) a password; 3) an Internet Protocol (IP) address; and 4) a digital signature (figs 6-7).

28. (Original) The method of claim 21 wherein:

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the step of determining whether a petition is acceptable utilizes at least one rule, wherein

the at least one rule is evaluated against the petition (0057).

29. (Original) The method of claim 21, further comprising:

prompting a user for a decision regarding whether or not to accept the petition (fig. 10).

30. (Original) The method of claim 21 wherein:

the recipient comprises a Web browser (fig. 1).

31. (Original) The method of claim 30 wherein:

the petition is provided to a petition processor via a Hypertext Transfer Protocol (HTTP) redirect sent to the Web browser; and

wherein the petition processor makes said determination (fig 1).

32. (Previously Presented) The method of claim 30 wherein:

the Web browser identifies the petition based on a Multipurpose Internet Mail Extension (MIME) type (0043).

33. (Original) The method of claim 21, further comprising:

providing the petition to a petition processor (fig. 2).

34. (Original) The method of claim 33 wherein:

the petition processor requires authorization credentials (passcode).

35. (Previously Presented) The method of claim 21 wherein:

the sender identity verification method is used by a petition processor to verify that an email message is from the sender (0061-0062).

36. (Original) The method of claim 22 wherein:

the petition provider generates the petition based on one or more rules (0057).

37. (Previously Presented) The method of claim 36 wherein:

a rule determines at least one of: 1) whether to generate the petition; 2) a format of the petition; 3) an identity of a petition processor; 4) a recipient email address (0057; 0062-0064).

38. (Previously Presented) The method of claim 36 wherein:

a rule is triggered based on the recipient identifier (0057).

39. (Canceled)

40. (Currently Amended) A computer implemented method for modifying a list of permitted senders used by electronic mail (email) access control devices (figs 8-10), said method comprising:

providing a recipient email address to the sender;

providing a petition to the recipient, wherein the petition includes a sender identity verification method (0021-0024;

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determining whether the petition is acceptable based on authorization credentials and at least one of: 1) the sender identity verification method; 2) user input; and 3) third party information (0062-0065);

modifying an email access list of permitted senders by adding the sender to said email access list if the petition and the authorization credentials are acceptable (0021-0024);

wherein the petition is created as a result of the sender receiving said recipient email address recipient; and

wherein the email access list is used to determine whether or not email from the sender is permitted to reach the recipient (0021-0024; 0062-0065).

41. (Original) The method of claim 40, further comprising:

providing confirmation of the determination to the sender.

42. (Original) The method of claim 40 wherein:

the step of providing the recipient email address to the sender is a result of a Web-based interaction between the recipient and the sender (fig. 1).

43. (Previously Presented) The method of claim 40 wherein:

the sender identity verification method is used by the recipient to verify that an email message is from the sender (0021-0024).

44. (Original) The method of claim 40 wherein:

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the identity verification method is one of: 1) an email header "From" address; 2) a password; 3) an Internet Protocol (IP) address; and 4) a digital signature (0057).

45. (Original) The method of claim 40 wherein:

the petition is provided to a Web browser (fig. 1).

46. (Previously Presented) The method of claim 45 wherein:

the Web browser identifies the petition based on a Multipurpose Internet Mail Extension (MIME) type (0043).

47. (Original) The method of claim 40 wherein:

the step of determining whether a petition is acceptable utilizes at least one rule, wherein the at least one rule is evaluated against the petition (0057).

48. (Original) The method of claim 40, further comprising:

prompting a user for a decision regarding whether or not to accept the petition (fig. 10; 0062).

49. (Currently Amended) A system comprising:

a means for providing a recipient email address to the sender;

a means for providing a petition to the recipient, wherein the petition includes a sender identity verification method;

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a means for determining whether the petition is acceptable based on authorization credentials and at least one of: 1) the sender identity verification method; 2) user input; and 3)

third party information; a means for modifying an email access list of permitted senders by adding the sender to said email access list if the petition and the authorization credentials are acceptable (0021-0024);

wherein the petition is created as a result of the sender receiving said recipient email address recipient; and wherein the email access list is used to determine whether or not email from the sender is permitted to reach the recipient (0062-0065).

50. (Currently Amended) A system for modifying a list of permitted senders used by electronic mail (email) access control devices (figs 8-10), said method comprising :

a sender component operable to accept a recipient identifier and generate sender information, wherein the sender information can be used to generate a petition(0021-0024);

a petition provider component operable to generate a petition based on the sender information and at least one rule, said petition being stored in a computer readable medium (0021-0024); and

wherein the petition is generated as a result of the sender component receiving said recipient identifier recipient; and

wherein the petition includes a sender identity verification method which change is used to verify the identity of the sender (0062-0065).

51. (Original) The system of claim 50, further comprising:

a web browser operable to accept the sender information from the sender component and provide the sender information to the petition provider component (fig. 1).

52. (Original) The system of claim 50, further comprising:

a petition processor component operable to accept the petition and determine whether the petition is acceptable based on at least one of: 1) the sender identity verification method; 2) user input; and 3) third party information; and

wherein if the petition is acceptable, the sender component is permitted to send email to a recipient associated with the recipient identifier (fig. 10).

53. (Original) The system of claim 52, further comprising:

a web browser operable to accept the petition from the petition provider component and to provide the petition to the petition processor (fig. 1).

54. (Previously Presented) The system of claim 52 wherein:

the petition processor component provides a confirmation to the sender (fig. 3).

55. (Previously Presented) The system of claim 52 wherein:

the browser identifies the petition based on a Multipurpose Internet Mail Extension (MIME) type (0043).

56. (Original) The system of claim 50 wherein:

the sender identification verification method is one of: 1) an email header "From" address; 2) a password; 3) an Internet Protocol (IP) address; and 4) a digital signature (fig. 5-6).

57. (Original) The system of claim 52 wherein:

the petition processor determines whether or not to accept a petition and add the sender to an email access list for a recipient (fig. 10).

58. (Previously Presented) The method of claim 50 wherein:

the at least one rule determines at least one of: 1) whether to generate the petition; 2) a format of the petition; and 3) an identity of a petition processor (fig. 3).

59. (Previously Presented) The method of claim 50 wherein:

the at least one rule is triggered based on the recipient identifier (fig. 5-6)).

60. (Currently Amended) A machine readable medium having instructions stored

thereon that when executed by a processor cause a system to:

accept a recipient identifier (0021-0024);

provide a petition to a recipient wherein the recipient corresponds to the recipient

identifier and wherein the petition is based on the evaluation of at least one rule, said

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recipient having an access list of permitted senders associated therewith (0062-0065; see abstract);

determine whether the petition is acceptable based on at least one of: 1) a sender identity verification method; 2) user input; and 3) third party information (0062-0065); and

modifying said access list of permitted senders of the recipient such that a sender associated with said petition is added to the access list if the petition is determined to be acceptable;

wherein the petition is created as a result of accepting the recipient identifier; and wherein if the petition is acceptable, the sender is permitted by the access list to send email to the recipient (0062-0065).

61-65. (Canceled)

66. (New) The method of claim 1 wherein modifying the access list adds the sender to at least one of: a white list of senders permitted to send email to the recipient and a black list of senders prohibited from sending email to the recipient.

67. (New) The method of claim 1, further comprising:

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communicating, from the recipient to the sender, a confirmation of the outcome of the petition that specifies whether the sender was added to the access list of the recipient.

68. (New) A computer readable storage medium having instructions stored thereon, which

instructions when executed by one or more processors, cause a system to:

under control of a sender:

accept a recipient identifier (0021);

provide sender information along with a petition provider identifier to a recipient, the recipient having an access list of permitted senders associated therewith (0021-0024);

under control of the recipient:

provide the sender information to a petition provider identified by the petition provider identifier; accept an access list petition request (petition) from the petition provider, said petition being stored in a computer readable storage medium (0062-0064);

determine whether the petition is acceptable based on at least one of: 1) a sender identity

verification method; 2) user input; and 3) third party information; and

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modify said access list of permitted senders of the recipient such that the sender is added to said access list if the petition is determined to be acceptable (0021-0024); and wherein the petition is created as a result of the sender -receiving the recipient's email address; and wherein the access list is used to determine whether email from the sender is permitted to reach the recipient (fig. 8-10; 0062-0065).

69. (New) The computer readable storage medium of claim 68 wherein modifying the access

list adds the sender to at least one of: a white list of senders permitted to send email to the recipient and a black list of senders prohibited from sending email to the recipient.

70. (New) The computer readable storage medium of claim 68, further comprising instructions that cause the system to:

communicate, from the recipient to the sender, a confirmation of the outcome of the petition that specifies whether the sender was added to the access list of the recipient (0062; fig. 10).

Conclusion

4. ***This action is made Non-Final.*** Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn, can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-3301.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-0800.

/Jude J Jean-Gilles/

Primary Examiner, Art Unit 2143

JJG

March 30, 2008